

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED DATE CANCELLED
OCT 22 2002
PATENT & TRADEMARK OFFICE

Applicant(s) : Peter Himmelsbach, et al.

Serial No. : 09/719,319

Filed : December 11, 2000

For : PARTIALLY SELF-ADHESIVELY TREATED
ARTICLE WITH PERMANENTLY DEFORMED
SELF-ADHESIVE COMPOSITION

Art Unit : 1771

Examiner : Lynda Salvatore

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OCT 25 2002
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October 17, 2002

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated October 3, 2002, Applicants elect the invention of Group I, claims 1-18, drawn to a process for making an adhesive material, with traverse.

The Examiner has imposed a three-way restriction requirement between claims 1-18, drawn to a process for making an adhesive material (denoted Group I by the Examiner); claims 19-21, drawn to articles comprising the adhesive material (denoted Group II by the Examiner); and claim 22, drawn to a method of using the adhesive material.

Reconsideration and withdrawal of the restriction requirement is respectfully requested. Any search of the adhesive material itself is certain to include a search of the processes for making and using it, and any search of the processes would also turn up the adhesive material itself. Accordingly, no additional burden would be placed on the Patent Office in searching both groups together. By contrast, a very great burden will be placed on Applicants if this restriction requirement is maintained. Applicants will be subjected to twice the cost and effort in prosecuting two patent applications for an invention that should have been included in one, and will also be subjected to the continuing expense of maintaining two separate patents, whereas only one should be required to cover the full invention.

In addition, an additional burden will be placed on the public, in that the full scope of Applicants' invention will not be ascertainable from a single patent, and the public will have to find and study two separate patents to ascertain the full scope of Applicants' exclusive rights.

The great additional burden that will be placed on Applicants and the public in maintaining the restriction requirement is far greater than the slight, if any, inconvenience that will be placed on the Patent Office in withdrawing the Restriction Requirement.

It is therefore respectfully requested that the Restriction Requirement be withdrawn.

In the event that the Examiner does not find it possible to withdraw the Restriction Requirement, it is respectfully requested that the non-elected subject matter be rejoined with the elected subject matter upon allowance of elected subject matter.

CONDITIONAL PETITION FOR EXTENSION OF TIME

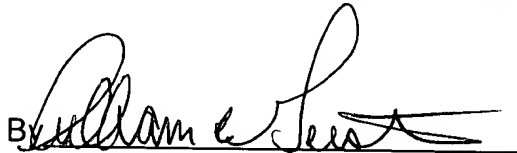
If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted

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By: 

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WCG/ms

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: The Hon. Assistant Commissioner for Patents, Washington, D.C. 20231 on October 17, 2002.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By: 

Date: October 17, 2002